V7 p74

For the Anti-Slavery Standard.

Will of the late Francis Jackson.

136

During my absence in Europe last summer, a letter was published in The Standard from Robert Purvis, of Byberry, Pa., to Edward M. Davis, of Philadelphia, evidently written in a highly excited state of mind—"my blood with unwonted celerity moved to fever heat," to quote the language of the writer. This letter had reference to the decision of the Supreme Court of Massachusetts upon an Anti-Slavery bequest made in the will of the late Francis Jackson, of Boston. As that decision was, as he alleged, "adverse to the manifest purpose of the testator," Mr. Purvis demanded to know who were responsible for it. Nay, more:—

"The Anti-Slavery public who have not laid off their armor, under the delusion that 'the nation is converted' and 'the work done'—those who mean to be faithful to the end, and who, in this most eventful and anxious period of our struggle, in this crisis of the

Ms A.1.1 v. 7, p. 74 B

black man's fate, are found at their posts of duty, laboring and meaning to labor until to the negro freedom in fact as well as in name shall be vouchsafed — for such I speak when asking for the names of those whose influence, doubtless, gave misdirection to means justly belonging to the American Anti-Slavery Society."

Of course, this implied — (1,) that some persons had been guilty of very base conduct in inducing the Court to pervert the bequest aforesaid, and therefore they should be ferreted out, and held up to the reprobation of all faithful abolitionists; (2,) that the persons referred to had either apostatized from the Anti-Slavery cause, or at least had put off their armor under the delusion that nothing more remained to be done for the liberated bondmen at the South, and, consequently, were no longer found at the post of duty; and, (3,) that the American Anti-Slavery Society had, through their influence, been defrauded of a bequest expressly designed for its treasury.

To this "feiver heat" letter of inquiry, Wendell Phillips, under his own signature, appended a reply, evincing similar warmth, and equally sweeping in its imputations — imputations which he renewed in the Standard of August 24 — applying them to a "minority" of Mr. Jackson's Trustees, and singling me out by name as mainly responsible for the alleged unjust decision of the Supreme Court.

Thousands of miles away at the time this extraordinary impeachment was made, I was placed at too great a disadvantage — travelling from place to place — to enter into any explanation or defence. Since my return home, I have remained silent to this hour, through my strong aversion to personal controversy, hesitating whether to take any public notice of it; or whether, in view of the position and conspicuity of Mr. Phillips, and of our intimate friendship and association in the Anti-Slavery struggle, — as well as in justice to the memory of the noble man whose confidence I, as one of his Trustees, am accused of betraying, — to show its utter groundlessness.

But, having reason to believe that it has injuriously affected the feelings and opinions of some, who, unwilling to believe that Mr. Phillips would make such a grave charge without any justification, are led reluctantly to infer from my silence that, to some extent at least, I may be blameworthy; and, moreover, seeing in the Standard of the 15th inst. a letter from my esteemed friends, David Lee and L. Maria Child, bringing up the matter afresh, and showing how prejudicially their own minds have been affected, as follows— "We enclose $50 as our subscription to the Anti-Slavery Society: if our means equalled our wishes, we would send a sum as large as the legacy Francis Jackson intended for that purpose, and of which the Society was deprived, as we think, by an unjust legal decision"; I deem it due not only to myself and my honored co-Trustees, Edmund Quincy, Esq. and Rev. Samuel May, Jr., but also to the Supreme Court itself, to the Master in Chancery whose report it adopted, and to all interested in the case, to meet the issue as presented.

v7 p74

5

What are the simple facts in the case? Francis Jackson died Nov. 14, 1861, leaving in his will, not to any Society or newspaper, but to certain Trustees, the sum of ten thousand dollars, "to be expended as they deem best for the preparation of books, newspapers, the delivery of speeches, lectures, and such other means as will put an end to negro slavery in this country"; and to the same Trustees the further sum of two thousand dollars, "to be expended by them for the benefit of fugitive slaves." In utter disregard of the wishes and intentions of the testator, and of his Anti-Slavery character, one of the heirs sought to invalidate the will in these particulars; and for this purpose took an appeal to the Supreme Court of Massachusetts. It was not till last year, however, that the decision of the Court was obtained, in affirmance of these legacies. "These two charitable trusts," said the Court, "were not terminated or destroyed by the abolition of slavery by the thirteenth article of amendment of the Constitution of the United States; but are to be applied to

carry out in a lawful manner the intentions of the testator as nearly as possible, according to a scheme to be settled by a Master in Chancery and approved by the Court, before the funds are paid over to the Trustees named in the will." The Master in Chancery, (John Codman, Esq., who was selected at the suggestion of Mr. Phillips) invited the Trustees to give him their opinion as to how the fund should be appropriated; not with any assurance that their opinion, even if unanimous, would control him, or the final action of the Court, but that he might take it into consideration in making up his report. Accordingly, a meeting of the Trustees was held on the 28th of January, 1867. Five of the seven were present — Mr. May and Mr. Bowditch being represented by proxy. Mr. Phillips and Mr. Whipple desired the fund for the Anti-Slavery Standard; Mr. Quincy agreed with me in preferring it to be given to the Freedmen's cause; while Mr. Edmund Jackson (the Executor) thought that only one quarter part should be given to the Standard, and the balance to the Freedmen—

(it not being true, as stated by Mr. Phillips in the Standard of August 10, that Mr. Jackson coincided with Messrs. Bowditch, Whipple and himself in "wishing all (!) or a fair share [meaning one half, of course] to be given to the Anti-Slavery Society.") In view of this wide diversity of opinion, I moved to recommend that four thousand two hundred dollars be given to the American Anti-Slavery Society, and five thousand dollars to the New England Freedmen's Union Commission; the whole sum in the hands of the Executor being about nine thousand two hundred dollars. Only Mr. Whipple and myself voted upon the motion, Mr. Phillips acting as chairman, and Mr. Jackson and Mr. Quincy remaining silent, but finally acquiescing in the vote. I was induced to make this motion, not only because the Trustees were so nearly equally divided as to their preferences, but mainly because at that time the Freedmen were without the ballot; Mr. Phillips making much of the fact that the Standard was zealously advocating suffrage for them, and

I being not less desirous than himself to secure it in their behalf.

This decision of the Trustees was duly transmitted by the Secretary to the Master in Chancery, who invited them to appear before him on the 15th of May, for a further expression of their views. As I could not be present in person, in consequence of my sailing for Europe on the 8th of that month, it was alike my right and my duty to send my opinion in writing, especially if anything had occurred materially to change it since the meeting of the Trustees in January. I accordingly wrote a brief letter to my friend Mr. May, saying — "Happily, since we met, by the Reconstruction bill passed by Congress the Southern freedmen have been put in possession of the elective franchise, and are now voting, and even being voted for. Under these circumstances, I feel released from adhesion to the motion I made, and would advise that no division of Mr. Jackson's bequest be made; but that it be given

v7 p74

9

without delay, and as a whole, to the New England Freedmen's Union Commission, thoroughly satisfied that it cannot be so surely and efficiently expended for the enlightenment, elevation and freedom of the emancipated bondmen of the South through any other channel or instrumentality." The hearing duly came off before the Master, Mr. Phillips advocating his own views at length, in favor of the Anti-Slavery Standard. The Master reported in favor of giving the entire bequest to the Commission; whereupon Mr. Phillips and his associates appealed to the Court itself to get his report modified, (Mr. Phillips using all his rhetorical skill and eloquence on the occasion,) but without success. I still believe it was a wise and righteous decision, and the best use of the money that could be made in behalf of the very class for whom it was intended by the philanthropic testator. For, not a dollar being needed to agitate the question of suffrage for the freedmen, (that having been settled by a patriotic

Congress,) the specific, fundamental, paramount work of the hour is the establishment of schools in every part of the South, to furnish the freedmen with that knowledge which is power, and which is essential to their elevation and security. For truly has Senator Sumner declared in his place in the U.S. Senate, that "universal suffrage will be a barren sceptre without universal education." In furtherance of this noble object the Court decided to appropriate the whole of Mr. Jackson's unexpended legacy. I appeal to common sense and sound reason, does this furnish any ground for hot denunciation of the Court, or a passionate attack upon such of the Trustees as favored this consecration of the fund? Yet Mr. Phillips treats it as though it were an iniquitous transaction, derogatory to the character of all concerned in it, and nothing better than a gross perversion of the bequest! For what does he say of the Court?

"pre-eminently unjust as we deem the decision of the Court" — "this robbery of our treasury" — "we call this a gross perversion of Mr. Jackson's money" — "it was wholly diverted from the object for which he intended it." . . . "This decision need not surprise any one. A Court which held the infamous Fugitive Slave bill to be constitutional," &c., &c., — "such a Court would, of course, not as if all it could, and gladly pay homage to the popular movements of the day. . . . Any time during the last thirty years, if my only aim in life had been safety, I would have fled from a charge of stealing Boston State House, rather than have stood trial before the Supreme Court of Massachusetts. Its decision, therefore, in the present case, gives me no surprise. Such a Court naturally aids those of us who have left the front rank and the most unpopular post."

Is this the language of reason or of passion? Assuredly, it is an out-

proving of insertions alike uncalled for and indefensible. The Court neither banished nor evinced any other intention than to make the best possible use of the legacy in the service of the class for whom it was designed. Of this fact the Rev. Phillips Brooks himself be witness; for in his very article containing these bitter aspersions he says— "There seems little if any doubt, that whatever plan the Trustees should advise would be accepted by the Master," and therefore by the Court; for, otherwise, there would be no force or pertinence in the statement. Again he says— "There is no doubt that the Master in Chancery would have reported any plan that Mr. Jackson's Trustees would have united in recommending," and therefore such plan would have met the approval of the Court. Again— "The Trustees were assured that any plan they could agree to recommend would be adopted by the Court." Finally, he says— "Slavery having been legally abolished,

the Court ordered that the money bequeathed should be used to carry out, as nearly as possible, what would be the wishes of the testator in such circumstances." So much for "a Court that would, of course, not act of all it could"! Mr. Phillips, almost in the same breath, refutes himself, and fully vindicates the Court.

Declaring that, at no time for the last thirty years, would he have willingly stood trial before that Court on any charge however absurd or monstrous, he again refutes himself by saying — "Messrs. Broadnax, Whipple, E. Jackson and Phillips appealed to the Court itself" from the adverse report of the Master in Chancery! What! appeal for justice in such a case to a Court which, in 1850, "held the infamous Fugitive Slave Bill to be constitutional," and which would, "of course, not act of all it could"! What infatuation! But how are such paradoxical statements to be reconciled? They are the incoherencies of an angry mood.

Let it be kept in mind, as showing a most friendly and equitable spirit on the part of this greatly maligned Court, that at the time its decision was made upon the validity of Mr. Jackson's Anti-Slavery legacies, slavery had been abolished by a national decree; so that there were neither slaves to be emancipated nor fugitive slaves any longer to be succored; an event which Mr. Jackson did not imagine could take place before his legacies would be expended, if indeed during the present century. Of neither of these legacies referred to a State but to — State of chattel slavery, of personal freedom, by a strict adherence to the letter of the will the Court, if it had been so disposed, might have pronounced their objects consummated, and awarded the money to the heirs. Instead of doing this, however, it very properly decreed that the money should be given to the freedmen, to supply them with schools and teachers, and thus prepare them for the duties and responsibilities of American citizens;

righteously assuming that such would be the desire and conduct of Mr. Jackson, were he a living participant in the efforts now making for their enlightenment and elevation. All honor to such a Court!

Mr. Phillips further exonerates the Court from blame, and again makes an alleged minority of the Trustees responsible for the enormity inscribed against, when he says — "We call on all abolitionists for aid the more earnestly for this great wrong done us by old associates." Again — "Mr. Jackson's money was wholly diverted from the object for which he intended it because a minority of his Trustees [meaning Messrs. Quincy, May and Garrison] were unwilling to accord to the majority that liberty of opinion which the majority granted them, and so report a plan in which all could agree." This charge is as absurd as it is unfounded. As if the "minority," [illegible], could prevent the "majority" from indulging in any "liberty of opinion" —

or from expressing that opinion, too, as they certainly did in the most emphatic manner!

Mr. Phillips cruelly wrongs his "old associates" by imputing to them base motives and aims, and insinuating that, in the day of its triumph over all opposition, — *miserabile dictu!* — they have become recreant to a cause which, through more than thirty years of persecution and ostracism, they maintained unflinchingly!

Having assailed the Supreme Court and his "old associates" in this opprobrious style, Mr. Phillips indulges in the following fling at the late Ex-Governor Andrew, who, as President of the New England Freedmen's Union Commission, very properly appeared as counsel for the claimant, inasmuch as the Commission was directly interested in the matter: —

"Ex-Gov. Andrew — the Governor who allowed the last meeting of the Massachusetts Anti-Slavery Society during Fran-

cis Jackson's life-time to be mobbed out of its Hall without lifting a finger to protect it — appeared as the chief speaker to advise how Francis Jackson's anti-slavery bequest should be used! Verily, our Governors monopolize the virtue of modesty!" . . . "Again Mr. Ex-Gov. Andrew intrudes himself into the business, impudently advising Messrs. Powlitch, Edmund Jackson, and the rest, if their cause needed money to ask it of their comrades and fellows, and not to come there!!" The noble man, whose decease has since occurred, universally lamented as a national loss, and characterized for his sympathy and friendship for the colored people, (having for years warmly espoused their cause, and shrunk from no odium or loss on their account,) for his large-hearted humanity, his efficient and incorruptible patriotism, and his readiness to do and dare everything for liberty in accordance with his convictions of duty, needs no defence against this out-

break of personal bitterness. Only a few weeks before the Anti-Slavery meeting was held which he is alleged, as Governor, cravenly to have allowed to be mobbed with impunity, Mr. Phillips publicly bestowed the following well-merited eulogy upon his character:—

"For the first time within my memory we have got a man for Governor of Massachusetts, a frank, true, whole-souled, honest man. That gain alone is worth all the labor. But the office is not the most important in the Commonwealth; only now and then it becomes commanding; in a sad Burns week, for instance. But, in common times, the Chief Justiceship is far more commanding,—is the real Gibraltar of our State contests. John A. Andrew should have been Chief Justice. Governor Andrew or Judge Andrew sounds equally well. But I like the right man in the right place. The Chief Justiceship belongs to the party of progress."

It is to be noted, that the Court over which Mr. Phillips was so desirous of having Gov. Andrew preside, was the identical Court before which, it seems, he last summer "intruded himself, impudently advising" how to expend a legacy for the benefit of the freedmen! If he had been the Chief Justice in that occasion, would he have come to a very different conclusion?

But a single month prior to the meeting of the Massachusetts Anti-Slavery Society referred to, in a lecture on "Mobs and Education" by Mr. Phillips in Music Hall, alluding to Gov. Andrew he said:—

"Carve in letters of gold in every school-house this letter of our loved Governor elect,—the best word a Massachusetts Governor has said since the first Winthrop gave his fine definition of civil liberty. Mr. Andrew says:

"The right to think, to know, and to utter, as John Milton said, is the dearest

of all liberties. Without this right, there can be no liberty to any people; with it, there can be no slavery. . . I care not for the truth or error of opinions held or uttered. . . Rich or poor, white or black, great or small, wise or foolish, in season or out of season, in the right or in the wrong, whosoever will speak, let him speak, and whosoever will hear let him hear. But let no one pretend to the prerogative of judging another man's liberty. In this respect there is, and there can be, no superiority of persons or privileges, nor the slightest pretext for any."

"Thank God for such a Governor to come!" exclaimed Mr. Phillips. Such was his high estimate of John A. Andrew only one short month before the played the part known as Governor, in the presence of a pro-slavery mob! It is indeed possible for a man to become recreant to his avowed principles in a manner

shorter period than that; but will
even Mr. Phillips now seek to stain
the memory of John A. Andrew with that
charge? Certainly, he can hardly have for-
gotten that, at the interview he had with
Gov. Andrew, to induce him to bring out the
State militia, the Governor stated that he
was powerless to do so in the premises as
against the Mayor of Boston; but that he
would readily summon a military force to
protect the Anti-Slavery meeting, and main-
tain the public peace, if Mr. Phillips would
point out to him a law of the Commonwealth,
empowering him to do so. Had he believed
that he had a legal right to act as re-
quested, not Mr. Phillips himself, had he
occupied the same post, would have more
promptly or more courageously proceeded to
discharge his official duty at all hazards.
Warmly sympathizing with the proscribed
abolitionists, and indignant at the worse
than pusillanimous conduct of Mayor
Wightman, he, nevertheless, felt that it

The assertion is still more preposterous, that "Mr. Jackson's money was wholly diverted from the object for which he intended it." If it be true, however, then Mr. Phillips stands convicted of having consented, at the meeting of the trustees in January, to "a gross perversion" of more than half the amount of the legacy — namely, five thousand dollars to the Freedmen's Commission — and so defrauding the Anti-Slavery Society to that amount! If, on the contrary, it is neither robbery nor a gross perversion to give this sum to the Commission, why may it not be as innocent an act to cast the entire legacy into its treasury? What principle is involved in the case? None. It is simply a choice of instrumentalities in behalf of the same class.

The statement that "Messrs. Garrison and Quincy claimed all the fund for the freedmen" is also incorrect. They made no claim. They only suggested in what way

they believed the best use could be made of the fund; leaving it for the Court to decide the matter. Mr. Phillips and his associates exercised the same liberty on their side.

It is not a doubtful matter in my mind how Mr. Jackson would act were he now living. For several years before his death, he very decidedly expressed his conviction, at Board meetings, Executive Committee meetings, and on other occasions, that a better use could be made of Anti-Slavery funds than by continuing the publication of the Standard, (absorbing as it did the greater portion of those funds,) much as he liked the paper. If this was his state of mind when Slavery was dominant over Church and State, over government and nation, is it credible that he would wish us to bestow his bequest, now that Slavery is abolished? Had this fact

I occurred to me (as it did not)
at the time of the meeting of the
Trustees in January, I am quite sure I
should have supported the proposition of
Mr. Edmund Jackson to give but one quar-
ter part of the legacy to the Standard, if
even that amount. That paper has no
longer special Anti-Slavery functions, but
is simply the mouth-piece of Mr. Phillips,
who is not merely "associate editor," but who
controls its columns absolutely in all con-
troverted matters. The printing of it is a
heavy pecuniary load to carry; and hence
the eagerness to secure the Jackson fund,
and the heat of disappointment. Once, the
work of vindicating the negro's rights was
confined to two or three journals in the land.
Now, the loyal press of the country univer-
sally sustains the action of Congress, cloth-
ing the freedmen with all the rights and im-
munities of American citizens; and they
are now actively participating in the for-
mation of the several State Constitutions

at the South, in defiance of rebel hostility. It is a marvellous spectacle. What they specially need, at this juncture, to enable them to maintain their rights, is knowledge and education; and to this end the money of Mr. Jackson is to be faithfully appropriated by the Freedmen's Commission, composed of some of the best men and women in Massachusetts. "A gross perversion of the fund," "a robbery of the treasury," excitedly exclaim Mr. Phillips! But in the very same article he admits that this allegation is utterly baseless, as follows:—

"The American Anti-Slavery Society gives the heartiest God-speed to the Freedmen's Bureau, [meaning the Freedmen's Commission, as the Bureau is not in the case at all,] — the sincerity of its sympathy proved not only by present effort, but by the labors of more than thirty years, and the pledges of its Constitution. Indeed,

occurred to me (as it did not)
at the time of the meeting of the
trustees in January, I am quite sure I
should have supported the proposition of
Mr. Edmund Jackson to give but one quar-
ter part of the legacy to the Standard, if
even that amount. That paper has no
longer special Anti-Slavery functions, but
is simply the mouth-piece of Mr. Phillips,
who is not merely "associate editor," but who
controls its columns absolutely in all con-
troverted matters. The printing of it is a
heavy pecuniary load to carry; and hence
the eagerness to secure the Jackson fund,
and the heat of disappointment. Once, the
work of vindicating the negro's rights was
confined to two or three journals in the land.
Now, the loyal press of the country univer-
sally sustains the action of Congress, cloth-
ing the freedmen with all the rights and im-
munities of American citizens; and they
are now actively participating in the for-
mation of the several State Constitutions

the Freedmen's Bureau comes, at this day, to work in a field to which the American Anti-slavery Society long ago devoted itself, and in which it has never ceased to labor — the elevation, education and protection of the free people of color."

I am not aware that the American Anti-slavery Society, under the leadership of Mr. Phillips, has at any time placed on record its "heartiest God-speed" to the freedmen's educational movement, or taken any interest in its success, or sent a single teacher to the South, or had a single editorial appeal in its favor in the Standard. In this I may be mistaken; but of one thing I am sure, and that is, if the Freedmen's Bureau is, as Mr. Phillips admits, working in the same field with the Anti-slavery Society, and therefore deserving "the heartiest God-speed," it cannot be "a gross perversion of Mr. Jackson's money," but, on the contrary, it must be

an excellent use of it, to expend it for "the elevation, education and protection of the free people of color," through a channel so meritorious and trustworthy! "The head and front of my offending hath this extent — no more."

Mr. Phillips reveals how little there is in his "heartiest God-speed," in the following slur:

"When it is remembered that the Freedmen's Bureau, filled with bishops, generals, governors and senators, counts its means by hundreds of thousands, and buries its willingly offered tribute on the millionaires of the land... that Mr. Jackson never gave money to the popular benevolent societies,... while our claim for fundamental rights is weak, isolated and unpopular, the ground will be appreciated on which we call this a gross perversion of Mr. Jackson's money."

A very worthless "God-speed" this! When did Francis Jackson ever hesitate to give his money to any benevolent society, having for its sole object "the elevation, education and protection of the people of color"? There is no analogy in these cases.

As to the resources of the Freedmen's Commission, Mr. Phillips will learn in inquiring that, with all its alleged "popularity," its treasury is empty, its means entirely inadequate to its needs, and its difficulty of procuring funds very considerable. Twenty thousand schools need to be established where there are now less than two thousand; there is no lack of applications on the part of teachers well qualified, but these have to be rejected by scores because of lack of money. Indeed, had it not been for the timely and generous contributions of our English friends, many of the schools in operation would never have been established, or would have

Ed.
to be abandoned long ere this. The New England Commission has already been compelled to curtail the number of teachers employed by it, and needs immediate aid. As it is, upwards of a hundred thousand of the freed population have been taught to read, multitudes to read, write and cipher, and a considerable number have attained proficiency in the higher branches; facts of the most cheering character, and of inestimable importance in the work of reconstruction.

Mr. Phillips talks of "the need of securing, of guaranteeing, beyond all possible danger, fundamental rights" — as if he had a forlorn hope — as if this is not the very conflict which is shaking the nation, and which the loyal ranks are committed to see triumphantly carried! It is folly and egotism to pretend to Anti-Slavery isolation as in the days of slavery. The midnight torch is of no consequence in the blaze of the noonday sun.

Mr. Phillips complains — "The Master in Chancery reported that the whole fund should go to the freedmen, basing his decision largely, as he said, on the letter Mr. Garrison left on his departure for Europe." Well, if my brief letter had more weight with the Master than Mr. Phillips's personal presence and earnest advocacy of his own views, am I to be reproached on that account? But if Mr. Phillips supposes that the Master would have reported in favor of giving any portion of the bequest to the Standard, if my letter had not been written, he is mistaken; and the Master will be informed him, if he chooses to make inquiry. It is true, the Master did me the honor to attach some value to my recommendation in favor of the Freedmen's Commission; but his own judgment concurred with mine, though independent of it. To quote his own words from his report to the Court:—

"I am unable to devise any better plan. . . Slavery is abolished, and the colored population of the late slave States are enfranchised by the late Reconstruction Acts of Congress, and are entitled legally to the same rights as the white population of those States. It seems, therefore, like throwing money into the sea to appropriate it to the support of a languishing publication, which is but the exponent of an obsolete idea. . . The class and the very persons, during this generation, who were the object of the Testator's benevolence, are the class and persons who, under this appropriation, will receive the benefit of it. . . Here is an organized Society, [the Freedmen's Commission,] the character and efficiency of which all admit. It is expressly intended and exactly fitted for the functions it has undertaken, and which it is now actually discharging. The highest and best men in the nation are enrolled among its directors and supporters. It seems at the hearing to

have been conceded that if any part or the whole of this fund was to be applied to the direct education and support of the freedmen, this association was the most proper and efficient channel through which the application should be made. . . . If Mr. Jackson himself could have chosen a better agency for the accomplishment of such an object, I do not see how we, acting by our own light, and not by his, can do it for him."

Mr. Phillips says—"We never doubted the entire sincerity of Mr. Garrison"—as if that concession were of any value in connection with the charge, that I had proved ~~faithless~~ false to the trust reposed in me by Mr. Jackson; and been the principal in effecting a "gross perversion of his money"! Again—"We have only complained that he, one of the minority, was not willing to allow any weight to the opinions of the majority of the Trustees." This is a ridiculous assertion. As if it were not for the Court to

decide upon the "weight of opinions" of each and all of the Trustees! Again—"Mr. Garrison acted as if he were the sole Trustee"! Another ~~gross~~ misstatement. I acted precisely as Mr. Phillips did—when asked by the Master in Chancery for my opinion, I gave it! So did he. It seems that my opinion had more weight with the Master than his own; ergo, "Mr. Garrison acted as if he were the sole Trustee"!—"When his arguments failed to convince his fellows—men entrusted by Mr. Jackson with the same power as himself—he appealed to an outside authority, a prejudiced and pro-slavery Court, to crush the fellow Trustees whom he could not convince. . . He seized the baton of law to crush opinions which his arguments could not change—the baton of lawyers who, he must have been aware, were wholly unable to do justice to the character and ideas of Mr. Jackson. Mr. Garrison's friends and ours will judge whether the state of public affairs justify him in such a course. To us it seems unjust to Mr.

Jackson, and unfair and unfriendly to Mr. Garrison's co-Trustees." My reply to this arraignment is, there is not a word of truth in it. If it be true, I must have fallen very low, indeed, among the vilely base and shamefully perfidious; or language has no meaning. But I never sought the Master in Chancery, nor took an appeal to the Supreme Court. That appeal it was left for Mr. Phillips himself to take, in order to carry his own ends! — Read his words: — "The Master reported that the whole fund should go to the freedmen. Messrs. Bowditch, Whipple, E. Jackson and Phillips appealed to the Court itself." At that very time I was in Europe! The letter I wrote, as expressive of my views, before leaving, was not even addressed to the Master, but to my co-Trustee, Rev. Samuel May, Jr., (than whom the colored race has never had a more faithful or more disinterested friend and advocate,) to be read by him or not, at the hearing, as he might deem best.

Summing up the whole matter, specification by specification, I affirm that

1. It is not true that the decision of the Court was "pre-eminently unjust," or "a gross perversion of the fund."

2. It is not true that any "misdirection" was given by the Court "to means justly belonging to the American Anti-Slavery Society." No direction was made by Mr. Phillips in the name of that Society, but only in behalf of the Standard.

3. It is not true that there has been any "robbery of the treasury" of that Society by the decision of the Court.

4. It is not true that the Supreme Court is "pro-slavery"; for such a Court would be in violation of the Constitution of Massachusetts, and of the Constitution of the United States. "The Fugitive Slave law" is an obsolete issue.

5. It is not true that "the Trustees were assured that any plan they could agree to recommend would be adopted by the Court." But this assertion of Mr. Phillips completely refutes all his charges against the Court as animated by a pro-slavery spirit, and incapable of doing justice to the suitors of the

Jackson. The exact truth is, (to quote Mr. Phillips again,) "the Court ordered that the money bequeathed should be used to carry out, as nearly as possible, what would be the wishes of the Testator in such circumstances"; and, after giving all parties an impartial hearing, unanimously selected the New England Freedman's Commission for that purpose.

6. It is not true that ex-Governor Andrew "intruded himself into the business," for he was requested to act as counsel in behalf of the Commission; nor was he so lost to self-respect as to behave "impudently" towards any of the Trustees.

7. It is not true that we, whom Mr. Phillips arraigns for recreancy, "have left the front rank and the most unpopular post"; for we stand precisely where we have always stood in demanding equal rights for our colored countrymen. I know of no claim that Mr. Phillips makes in their behalf that I did not advocate years before he participated in the Anti-Slavery conflict; nor is it possible for him to occupy a more radical position than I have taken.

from the beginning, and kept to this hour. This slur upon "old associates" is evidence of great self-inflation, and — if it be not a pitiable hallucination of mind, — and is certainly undeserved, assuming as it does superior Anti-Slavery zeal, courage and fidelity.

8. It is not true that those "old associates" have been guilty of "a great wrong," or of any wrong; but they have acted scrupulously as they believe Mr. Jackson would wish them to act in the case, convinced that no better use can possibly be made of his legacy.

9. It is not true that "a minority of the Trustees was unwilling to accord to the majority that liberty of opinion which the majority granted them"; nor that "they preferred to avail themselves of outside and prejudiced power to carry out their views."

10. It is not true that "Mr. Garrison acted as if he were the sole Trustee"; nor that "he was not willing to allow any weight to the opinions of the majority of the Trus-

tees"; nor that "he appealed to an outside authority, a prejudiced and pro-slavery Court"; nor that "he seized the baton of law to crush opinions which his arguments could not change." All this is the rhetoric of passion and the very spirit of defamation.

I need not say that this controversy is inexpressibly painful to me, but it is not of my seeking. ~~and I know nothing in our past friendship and co-operation~~ Mr. Phillips having chosen publicly to bring the gravest accusations against me and my associates, (Messrs. Quincy and May,) affecting our integrity as Trustees, and our character as Abolitionists, I know of nothing in our past friendship and co-operation to bind me to silence, or to ~~grant~~ give him impunity in his work of traducement. Having made a full and truthful statement of all the facts in the case, I submit it to the judgment of all who take any interest in it.

Wm. Lloyd Garrison.

Boston, Feb. 25, 1868.

Ms.A.1.1 v.7, p.74B